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REGULAR MEETING OF THE CITY COUNCIL

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JULY 7, 2009

CITY COUNCIL CHAMBERS

PRESENT: PAUL R LEPAGE, MAYOR  
MIKE ROY, CITY MANAGER

COUNCILORS: CHARLES F. STUBBERT, JR., MARY-ANNE  
BEAL, ROSEMARY WINSLOW, DANA SENNETT, CHAIR,  
JOHN O'DONNELL, THOMAS LONGSTAFF AND CARL S  
BASGALL

REGULAR MEETING

7:00 P.M.

APPROVAL OF CONSENT AGENDA

REGULAR MEETING      CONSENT AGENDA      JULY 7, 2009

MINUTES

APPROVAL OF JUNE 16, 2009

RESOLUTION NO 75----ROLL OF ACCOUNTS NO 13

RESOLUTION NO 81----AUTHORIZING THE RENEWAL OF A SPECIAL  
MOBILE/TEMPORARY FOOD VENDOR LICENSE TO  
JOHN & WENDY BARD D/B/A "T J'S BURGERS  
AND DOGS

Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

UNFINISHED BUSINESS

RESOLUTION 74-A RESOLUTION PROVIDING FOR PURCHASE OF A NEW PHONE SYSTEM

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

~~THAT the City Manager be authorized to purchase a new phone system from Communication Technologies, Inc. in the amount of \$60,130.95 and that said sum be funded as follows:~~

~~\$40,130.95 from the Capital Improvement Reserve Fund~~

~~\$20,000 in funds remaining from a Department of Justice Byrne Grant Fund.~~

THAT the City Manager be authorized to enter into a lease/purchase agreement for a new phone system from Communication Technologies, Inc. in the amount of \$1,301.17 per month and that said sum be funded from the Information Technology operating budget for 2009-2010

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Longstaff Moved to amend as shown above  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Vote on Resolution 74-2009 as Amended  
Vote: All in Favor (7-0)

ORDER 29-AN ORDER PROVIDING FOR CASH CONTRIBUTION FROM WATERVILLE ROTARY CLUB AND ACCEPTANCE OF FEES FOR NORTH STREET GARDEN PLOTS

BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT, the City be authorized to accept a \$1000.00 (one thousand dollar) cash donation from the Waterville Rotary Club. Funds from the donation will be used to purchase materials and equipment to build 12 raised beds (gardens) located just south of the boat landing on North Street.

THAT, the City be authorized to accept an annual fee of \$10 for individuals wishing to reserve garden plots. Fees will be collected and used to refurbish equipment and materials. Funds will be deposited into Recreation Fund account #54044500-486000-GRDN

Sennett Moved to Read by Title Only  
Longstaff Seconded the Motion  
Vote: All in Favor  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Hold Third and Final  
Reading by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbert Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

ORDER 30-AN ORDER PROVIDING FOR THE CITY TO CARRY FORWARD  
GRANT MONEY FROM THE UNITED WAY OF MID-MAINE

THAT the City be allowed to carry forward from fiscal year 2008-09 to fiscal year 2009-10 any remaining grant money in the general fund from the United Way of Mid-Maine for a heating assistance grant. This funding, part of the Keeping Mid-Maine Warm initiative, will be spent by General Assistance department in 2009-10 for fuel assistance for clients who may not qualify for General Assistance or emergency assistance through other local agencies.

Sennett Moved to Read by Title Only  
 Winslow Seconded the Motion  
 Vote: All in Favor  
 Order Read by Title Only  
 Sennett Moved to Accept  
 Winslow Seconded the Motion  
 Vote: All in Favor (7-0)  
 Sennett Moved to Hold Third and Final  
 Reading by Title Only  
 Winslow Seconded the Motion  
 Vote: All in Favor (7-0)  
 Sennett Moved to Adopt  
 Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote (7-0)			

ORDER 31-AN ORDER PROVIDING FOR SALE OF TAX ACQUIRED  
 PROPERTY (55 SUMMER ST)

WHEREAS, the City acquired a single family residential building located at 55 Summer Street in 2008; and

WHEREAS, the former owner was provided due notice as required by City ordinance; and

WHEREAS, the property has numerous code/safety and health violations; and

WHEREAS, the KVCAP agency has proposed a renovation plan to correct all violations and to make the property available as an affordable housing residence;

NOW THEREFORE, BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT the City sell the property for ~~\$18,700~~ \$ \$21,780. and that the City Manager be authorized to sign all paperwork to complete the sale and that said funds be deposited in the Capital Improvement Reserve Fund..

Sennett Moved to Read by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Stubbert Moved to Table to Next Meeting  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

ORDER 32-AN ORDER PROVIDING FOR ACCEPTANCE OF GRANT AWARD

BE IT HEREBY ORDERED by City Council of the  
City of Waterville acting as the municipal  
officers as follows:

THAT, the City be authorized to accept a  
\$7,800.00 grant award from the Department of  
Conservation and the Project Canopy Assistance  
Program. The grant is designated for tree  
planting and maintenance. The City intends to use  
funds to plant 20-30 trees at various locations  
throughout the City.

Sennett Moved to Read by Title Only  
Winsliow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Hold Third and Final  
Reading by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbert Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

ORDINANCE 05 AN ORDINANCE PROVIDING FOR REPEAL OF ORDINANCE  
13-1989 AND ACCEPTANCE OF ZONING ORDINANCE

BE IT ENACTED by the City Council of the  
City of Waterville, acting as the municipal  
officers as follows:

THAT Ordinance 13-1989 be repealed.

AND THAT an ordinance titled, Zoning  
Ordinance, a copy of which is available on the  
City web page at [www.waterville-me.gov](http://www.waterville-me.gov), be  
adopted and further that the City Solicitor be  
authorized to prepare, in summary form, a  
publication notice of said ordinance.

Sennett Moved to Read by Title Only

Winslow Seconded the Motion

Vote: All in Favor (7-0)

Ordinance Read by Title Only

Sennett Moved to Accept

Winslow Seconded the Motion

Longstaff Moved to Amend by Removing  
Section 5.7.4.D. "Adult entertainment  
businesses including pornography,  
nudity, escort services, and massage  
parlors, but excluding massage  
therapists licensed by the State of  
Maine."

Winslow Seconded the Motion

Vote: All in Favor (7-0)

Vote on Ordinance 05-2009 as Amended

Vote: All in Favor (7-0)

RESOLUTION 76-A RESOLUTION PROVIDING FOR ISSUANCE OF A POLE  
PERMIT TO CENTRAL MAINE POWER COMPANY AND  
FAIRPOINT NORTHERN NEW ENGLAND TELEPHONE  
OPERATIONS (MIDDLE ST)

BE IT RESOLVED by the City Council of the  
City of Waterville, acting as the municipal  
officers, as follows:

THAT the City Council hereby authorizes the  
issuance of a pole permit to Central Maine Power  
Co. and Fairpoint Northern New England Telephone  
Operations. This permit would allow for the  
installation of one (1) pole located  
approximately 30 feet North of CMP Pole #5 on  
Middle Street at the intersection with Carroll  
Street.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 77-A RESOLUTION PROVIDING FOR ISSUANCE OF A POLE  
PERMIT TO CENTRAL MAINE POWER COMPANY AND  
FAIRPOINT NORTHERN NEW ENGLAND TELEPHONE  
OPERATIONS (WESTERN AVE)

BE IT RESOLVED by the City Council of the  
City of Waterville, acting as the municipal  
officers, as follows:

THAT the City Council hereby authorizes the  
issuance of a pole permit to Central Maine Power  
Co. and Fairpoint Northern New England Telephone  
Operations. This permit would allow for the  
installation of one (1) pole located  
approximately 33 feet North of CMP Pole #5 on  
Western Avenue.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 78-A RESOLUTION PROVIDING FOR BID AWARD -FY  
09/10 WINTER ROAD SALT

BE IT RESOLVED by the City Council of the City of  
Waterville as follows:

THAT the City be hereby authorized to award the  
low bid of \$70.82 per ton for Winter Road Salt to  
International Salt Co., LLC, ISCO Corporate Center,  
655 Northern Blvd, Clarks Summit, PA 18411. The City  
is proposing to purchase approximately 2700 tons  
delivered to the Department of Public Works facility  
with the total value of the purchase agreement being  
one hundred ninety-one thousand, two hundred fourteen  
dollars and no cents (\$191,214.00).

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 79-A RESOLUTION PROVIDING FOR COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) SURVEY

CERTIFICATIONS APPROVAL

WHEREAS, the City of Waterville wishes to apply to the Department of Economic and Community Development(DECDD) for a Community Development Block Grant(CDBG) to carry out a community development program; and

WHEREAS, the City recently completed a city-wide income survey as required by DECDD

NOW THEREFORE, be it resolved by the City Council of the City of Waterville that the City Manager be authorized and directed to submit the completed survey results to the Department of Economic and Community Development on behalf of the City of Waterville, substantially in the form presented to the City Council.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 80-A RESOLUTION PROVIDING FOR REFERENCE TO THE PLANNING BOARD BY THE CITY COUNCIL: AMENDMENTS TO THE ZONING ORDINANCE

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers and in accordance with Article 7, Section 7.1, of the Zoning Ordinance, to refer to the Planning Board for public hearing and recommendation proposed amendments to the Zoning Ordinance.

The proposal is that Article 4, Performance Standards, and Article 5, Zoning District Requirements, of the Zoning Ordinance of the City of Waterville, Maine, be amended to allow chickens in specified residential zones.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)



ORDER 33-AN ORDER PROVIDING FOR ACCEPTANCE AND  
APPROPRIATION OF 2009 BYRNE JUSTICE ASSISTANCE  
GRANT

BE IT ORDERED by the City Council of the  
City of Waterville, acting as the municipal  
officers as follows:

THAT, the City Council hereby authorizes the  
acceptance of twenty thousand one hundred and  
eighty-nine dollars (\$20,189) from the U.S.  
Bureau of Justice Assistance for the Edward Byrne  
Memorial Justice Assistance Grant. And, as said  
grant has designated the Augusta Police  
Department as the administrator, the City Council  
authorizes the City Manager to sign an Inter-  
local Agreement, which is required to receive the  
grant award.

BE IT FURTHER ORDERED, THAT the \$20,189 be  
assigned to a Police Grant Fund revenue line  
specified for this Byrne grant .

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

ORDER 34-AN ORDER PROVIDING FOR ACCEPTANCE OF  
GRANTS/DONATIONS FOR THE LIBRARY CAPITAL CAMPAIGN

BE IT ORDERED by City Council of the City of  
Waterville acting as the Municipal Officers as  
follows:

THAT the City Manager be authorized to  
accept a grant award in the amount of \$5,000.00  
from the Maine Community Foundation to be  
remitted to the Library for their Capital  
Campaign fund

BE IT FURTHER ORDERED that said  
authorization be applied to any and all future  
grants, donations, etc, in the amount of \$10,000  
or less for the renovation project at the  
Waterville Public Library with the understanding  
that the City Manager will report to the Council  
in a manner consistent with the reporting of  
other accepted donations.

long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

6. The foregoing designation of the District and the adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City Council of approval of the designation of the District and adoption of the Development Program by the Maine State Housing Authority, without requirements of further action by the City, the City Council or any other party.
7. The City Manager be and is hereby authorized to create a Municipal Project Cost Account, as contemplated by the Development Program in the name of and on behalf of the City, such Account to be in such form and to contain such terms and provisions, not inconsistent with the Development Program and this Order, and a percentage of the proceeds of the Municipal Project Cost account, as specified in the Development Program, shall be used to defray operating expenses for eligible projects within the District, consistent with the Development Program. Said Development Program and Account to be reviewed and approved by the City Solicitor or his designee.

Order Read in full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

The Mayor announced the appointment of David V Smith as Waterville Housing Authority Commissioner. His term will expire in 2014.

There being no further business the meeting was adjourned.

A True Copy Attest

  
City Clerk